

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52749 of 2023

Arising Out of PS. Case No.-442 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Gautam Paswan Son Of Ranjeet Paswan @Ranjeet Kumar Paswan Resident
Of Village- Lodipur, Ps- Dalsinghsarai, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302 and 34 of the
Indian Penal Code.

3. As per prosecution case, when the informant's son
along with his friends namely, Vijay Ray(co-accused), Rakesh
Ray (co-accused) and petitioner went for a walk near a bridge in
the village. When the informant's son did not return till late
night his family members tried to search him. Thereafter, it is
alleged that one decaying body was found by the fishermen in
the village *Keota Chaur (lower land)*. When his family
members reached there, then they identified the dead body as
his son namely, Gopal Kumar Chaudhary @ Lalu.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. On the basis of suspicion, petitioner has implicated in the present case. There has been delay of seven days in lodging in the FIR. There is no consistent evidence and no eye-witness of the alleged occurrence and it is a case of last seen. No incriminating article has been recovered from the conscious possession of the petitioner. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 24.8.2023 passed in Cr. Misc. No.41922 of 2023. Petitioner is languishing in judicial custody since 24.3.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Dalsinghsarai, Samastipur in connection with Dalsinghsarai



P.S. Case No. 442 of 2022.

(Sunil Kumar Panwar, J)

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